TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

March 26, 2002 LB 1040

SENATOR CONNEALY: Yes.

SENATOR BEUTLER: And that has to be paid, obviously.

SENATOR CONNEALY: Yes.

SENATOR BEUTLER: And all of these other claims then are based on that case, but the court hasn't specifically ordered them paid?

SENATOR CONNEALY: The way it works is the attorney applies to the court to be paid. If he doesn't...

SENATOR BEUTLER: Okay.

SENATOR CONNEALY: ...if the county attorney does the work without applying then there's no claim, but if...if a claim is applied because of <u>Winter v. Department of Motor Vehicles</u>, then the court approves of a claim.

SENATOR BEUTLER: Okay.

SENATOR CONNEALY: Different courts approve different ways.

SENATOR BEUTLER: Okay, so all of these claims in the bill though have been approved by a district judge here or there or somewhere.

SENATOR CONNEALY: Yes.

SENATOR BEUTLER: So some district judge okayed these claims in Lincoln County all for \$500 exactly, each, even though the...okay, let me ask this question. Isn't the claim supposed to be made on the...based on the amount of work done?

SENATOR CONNEALY: Yes, but it's under the rules of that district court judge and he sets the rules, or he or she.

SENATOR BEUTLER: So we have to assume that the district court in Lincoln County decided that, regardless of the work done, they were going to allow, authorize and direct \$500 for each one